

Reissue of Patent No. 6,533,718
Applicant: STEVEN D. RITCHIE

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REMARKS

The applicant has reviewed the rejections of the Examiner.
The Examiner has rejected Claim 6 under 35 U.S.C. 102(e) as being anticipated by Uribe (6,203,491).

Uribe teaches a device that is strapped to a user, via shoulder straps and is also attached to a wall or other supporting device. In essence, the wall attachment holds the device while the user works against the stretchable straps. The examiner points to #36 of the Uribe device and calls that component a "spin assisting device". The text of the Uribe patent describes that component to be, "[a] plug 36 may preferably be used to seal the lubricant chamber 32 after it is filled with lubricant 34", (Column2, lines 34 - 36). The component referred to by the examiner as a spin assisting device is defined in the specification as a plug. There is no teaching in the Uribe specification that the plug is, or may function as, a spin assisting device. As a matter of practicality, the use of the plug for causing a rotation of the device would cause the plug to loosen, thereby causing it to fail.

Applicant submits that Claims 8 and 9, which are dependent upon Claim 6, are also addressed by the above argument, in that the teaching in the present application of a spin assisting device offset from the central axis of rotation is not taught or implied by the Uribe patent.

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The Examiner has rejected Claims 6, 8 and 9 under 35 U.S.C. 102(b) as being anticipated by Dabney (6,059,717).

Dabney teaches a device that has a spin assisting component being located on the central axis of rotation, and not offset from the central axis of rotation as it taught by the present application. Such a component does not allow the continuous rotation by a user, but the user must place and replace the hand to rotate the device. The present application teaches an offset rotational component, or spin assisting device, so that a user does not have to cease rotation to reposition his or her hand on the spin assisting component, rather the offset location allows a continuous spinning of the device.

Applicant submits that Claims 8 and 9, which are dependent upon Claim 6, are also addressed by the above argument, in that the teaching in the present application of a spin assisting device offset from the central axis of rotation is not taught or implied by the Dabney patent. Dabney, instead, teaches a spin assisting device that is located not offset from the central axis. Claim 9 of the current application teaches a off set recess. Dabney does not teach a recess nor an offset recess to aid in spinning the device.

The applicant submits that the foregoing completely addresses and responds to each of the examiner's rejections and objections. The applicant therefore requests that the examiner's

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objections and rejections be withdrawn and that the application
be reissued.

Respectfully submitted,



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